

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DAVID LEDSOME,)	
)	CASE NO. 5:20CV2495
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
KILOLO KIJAKAZI, ¹)	
ACTING COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	<u>MEMORANDUM OF OPINION</u>
Defendant.)	<u>AND ORDER</u>

An Administrative Law Judge (“ALJ”) denied Plaintiff David Ledsome’s applications for disability insurance benefits (“DIB”) and supplemental security income (“SSI”) after a hearing in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ’s decision. The claimant sought judicial review of the Commissioner’s decision, and the Court referred the case to Magistrate Judge Carmen E. Henderson for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#). On December 8, 2021, the magistrate judge submitted a Report ([ECF No. 14](#)) recommending that the Court reverse the Commissioner’s decision and remand the case to the Commissioner.

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be

¹ Andrew M. Saul was the original Defendant. He was sued in an official capacity as a public officer. On July 9, 2021, Kilolo Kijakazi became the Acting Commissioner of Social Security. Pursuant to [Fed. R. Civ. P. 25\(d\)](#), Kijakazi’s name has been automatically substituted as a party.

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filed within 14 days after service. On December 9, 2020, the Commissioner filed a Response to Magistrate Judge's Report and Recommended Decision ([ECF No. 15](#)), stating that the Commissioner does not object. Furthermore, Plaintiff has not filed any objections, evidencing satisfaction with the magistrate judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *Howard v. Secretary of Health and Human Services*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report and Recommendation of the magistrate judge is hereby adopted. The decision of the Commissioner of Social Security is reversed and the case is remanded to the Commissioner for further proceedings and a new decision under sentence four of [42 U.S.C. § 405\(g\)](#).²

IT IS SO ORDERED.

December 23, 2021
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge

² Sentence four of section 205(g) of the Social Security Act, [42 U.S.C. § 405\(g\)](#), states: The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.